

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Dominique BOUREL et al.

Title: THERAPEUTIC PRODUCTS WITH  
ENHANCED ABILITY TO  
IMMUNOMODULATE CELL FUNCTIONS

Appl. No.: 10/551,819

International 4/5/2004

Filing Date:

371(c) Date: 6/12/2006

Examiner: Unassigned

Art Unit: 1645

Conf. No.: 3972

**SECOND PRELIMINARY AMENDMENT UNDER 37 CFR 1.115**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

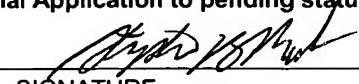
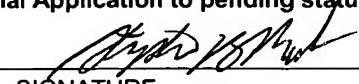
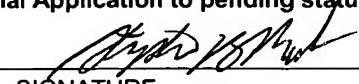
Sir:

Prior to examination of the present Application and further to the Preliminary Amendment filed on September 30, 2005, Applicants respectfully request that the application be amended as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 9 of this document.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>065691-0408</b>
		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>10/551,819</b>
INTERNATIONAL APPLICATION NO. <b>PCT/IB2004/001390</b>	INTERNATIONAL FILING DATE <b>4/5/2004</b>	PRIORITY DATE CLAIMED <b>4/3/2003</b>
<b>TITLE OF INVENTION</b> <b>THERAPEUTIC PRODUCTS WITH ENHANCED ABILITY TO IMMUNOMODULATE CELL FUNCTIONS</b>		
<b>APPLICANT(S) FOR DO/EO/US</b> <b>Dominique BOUREL et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
<b>Items 11 to 20 below concern other document(s) or information included:</b>		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information:		

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<p>The following fees have been submitted:</p> <table border="1"> <tr> <td>21. <input checked="" type="checkbox"/> Basic national fee</td> <td>\$300</td> <td>\$ 300.00</td> <td></td> </tr> <tr> <td>22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)</td> <td>\$100</td> <td>\$ 200.00</td> <td></td> </tr> <tr> <td>All other situations</td> <td>\$200</td> <td></td> <td></td> </tr> <tr> <td>23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority</td> <td>\$100</td> <td></td> <td></td> </tr> <tr> <td>International Search Report prepared and provided to the Office</td> <td>\$400</td> <td></td> <td></td> </tr> <tr> <td>All other situations</td> <td>\$500</td> <td>\$ 400.00</td> <td></td> </tr> <tr> <td colspan="2"><b>TOTAL OF ABOVE 21, 22 and 23 =</b></td> <td>\$ 900.00</td> <td></td> </tr> <tr> <td colspan="5"> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). 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See 37 CFR 1.27. Fees above are reduced by ½.         </td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4"><b>SUBTOTAL =</b></td> <td>\$ 2930.00</td> </tr> <tr> <td colspan="5">Processing fee of 130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).</td> </tr> <tr> <td colspan="4"><b>TOTAL NATIONAL FEE =</b></td> <td>\$ 2930.00</td> </tr> <tr> <td colspan="4"><b>TOTAL FEES PREVIOUSLY PAID =</b></td> <td>\$ 1030.00</td> </tr> <tr> <td colspan="4"><b>TOTAL FEES ENCLOSED =</b></td> <td>\$ 1900.00</td> </tr> <tr> <td colspan="4"></td> <td><b>Amount to be refunded:</b></td> </tr> <tr> <td colspan="4"></td> <td><b>charged:</b></td> </tr> <tr> <td colspan="5">       a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.     </td> </tr> <tr> <td colspan="5">       b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-0741</u> in the amount of _____ to cover the above fees.        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Maebius        NAME        35,264        REGISTRATION NUMBER     </td> </tr> </table>					21. <input checked="" type="checkbox"/> Basic national fee	\$300	\$ 300.00		22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)	\$100	\$ 200.00		All other situations	\$200			23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority	\$100			International Search Report prepared and provided to the Office	\$400			All other situations	\$500	\$ 400.00		<b>TOTAL OF ABOVE 21, 22 and 23 =</b>		\$ 900.00		<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). 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